

BEFORE THE
ILLINOIS COMMERCE COMMISSION

SUSAN VINEYARD) DOCKET NO.
-vs-) 04-0094
CENTRAL ILLINOIS PUBLIC SERVICE)
COMPANY)
Complaint as to Violation of Ill.)
Adm. Code 280.50(c) and 280.50(d).)

Springfield, Illinois
March 18, 2004

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MS. SUSAN VINEYARD
301 East Oak Street
West Frankfort, Illinois 62896

(Appearing on behalf of Complainant via
teleconference)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
Ln. #084-002710

1 APPEARANCES:

(Cont'd)

2 MR. ELIOTT HEDIN

Brown Hay & Stephens, LLP

3 205 South Fifth Street, Suite 700

Springfield, Illinois 62705

4 (Appearing on behalf of Central Illinois
5 Public Service Company)

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2 WITNESSES DIRECT CROSS REDIRECT RECROSS

3 None.

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10 I N D E X

11 EXHIBITS MARKED ADMITTED

12 None.

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PROCEEDINGS

JUDGE JONES: On the record. Good morning. I call for hearing the following docketed matter: 04-0094. This is docketed as Susan Vineyard versus Central Illinois Public Service Company. It's docketed as a complaint to violation of Illinois Administrative Code 280.50(c) and 280.50(d).

At this time we will ask the parties to enter their appearances orally for the record. We will start with the complainant Ms. Vineyard. Ms. Vineyard, would you identify yourself for the record, please.

MS. VINEYARD: Yes, Your Honor. My name is Susan Vineyard. I live at 301 East Oak Street in West Frankfort, Illinois.

JUDGE JONES: And what is your phone number?

MS. VINEYARD: My phone number is area code
(618) 932-3222.

JUDGE JONES: Thank you. Do you have an e-mail address?

MS. VINEYARD: Yes, Your Honor. It is
svcollect@aol.com.

1 JUDGE JONES: That's svcollect, C-O-L-L-E-C-T.

2 MS. VINEYARD: Yes, SV as in my initials Susan
3 Vineyard.

4 JUDGE JONES: Thank you. Now, may we have the
5 appearance on behalf of AmerenCIPS?

6 MR. HEDIN: I am Elliott Hedin and I am the
7 attorney of record for Central Illinois Public
8 Service Company (AmerenCIPS).

9 JUDGE JONES: What is your business address and
10 phone number?

11 MR. HEDIN: My office is Brown Hay & Stephens
12 at 205 South Fifth Street, suite 700, P.O. Box 2459,
13 Springfield, Illinois 62705.

14 JUDGE JONES: And did you give us your phone
15 number?

16 MR. HEDIN: (217) 544-8491.

17 JUDGE JONES: Thank you. And what is your
18 e-mail address?

19 MR. HEDIN: Hedin, H-E-D-I-N, @bhslaw.com.

20 JUDGE JONES: Thank you. Are there any other
21 appearances? Let the record show there are not.

22 As the parties are aware, this is a

1 prehearing conference in this matter. Ms. Vineyard
2 is participating by telephone.

3 At this point for purposes of providing a
4 brief opportunity to the parties to discuss
5 scheduling among themselves, we hereby go off the
6 record.

7 (Whereupon there was
8 then had an
9 off-the-record
10 discussion.)

11 JUDGE JONES: Back on the record. Let the
12 record show there was an off-the-record discussion
13 for the purposes indicated. It was primarily to
14 give the parties an opportunity to discuss certain
15 scheduling, mainly that relating to discovery and
16 the setting of a status hearing date.

17 I believe the parties are in agreement on a
18 schedule relating to the exchange of information or
19 the requesting of information and the providing of
20 information by the other side. That's sometimes
21 referred to as data requests or informational
22 request process. Those submissions are considered

1 informal in the sense that they are not filed with
2 the Commission. The same goes for the responses.
3 However, they are to be in writing, whatever form
4 that may take, when they are submitted to the other
5 side. Likewise, the responses are to be in written
6 form, however they are sent, when the responses are
7 sent to the requesting party.

8 I believe it has been indicated that there
9 are certain dates to be suggested at this time for
10 that purpose, is that correct?

11 MR. HEDIN: That's correct.

12 JUDGE JONES: And do you want to indicate what
13 those are?

14 MR. HEDIN: Friday, March 26, 2004, is the
15 deadline for both parties to submit requests for
16 information, and the responses to those requests are
17 due on Monday, May 3, 2004.

18 JUDGE JONES: Would that be by e-mail, postal
19 mail or some combination of the two?

20 MR. HEDIN: Some combination of the two, either
21 e-mailed on that day or postmarked that date or
22 earlier.

1 JUDGE JONES: Thank you. Ms. Vineyard, is that
2 your understanding of the schedule that you
3 discussed with AmerenCIPS?

4 MS. VINEYARD: Yes, Your Honor, that's my
5 understanding.

6 JUDGE JONES: And are you agreeable to that
7 schedule?

8 MS. VINEYARD: I am agreeable.

9 JUDGE JONES: All right. Let the record show
10 that that discovery scheduling is hereby put into
11 the record in this proceeding. As previously noted,
12 it applies to the submission of written requests for
13 information from one side to the other, the deadline
14 for submitting the request being March 26, the
15 deadline for submitting responses being May 3.
16 Those requests and responses do not need to be filed
17 with the Commission. They are to be sent to the
18 other party. They are to be sent in writing. And
19 the dates indicated would be by e-mail or postal
20 mail or some combination of the two. If it is by
21 postal mail, then the deadlines would be postmark
22 dates. As noted, that would apply to the

1 informational requests sent to the other party for
2 documents or other information. That process is
3 sometimes known as the data request or DR phase of
4 the case.

5 After that there will be a status hearing
6 conducted in this matter. It is my understanding
7 that there is a date that the parties are in
8 agreement on, that being May 11 at 1:30. Is that
9 correct?

10 MR. HEDIN: That's correct.

11 MS. VINEYARD: Yes, and that's acceptable by
12 the Court to be telephonic?

13 JUDGE JONES: For purposes of that status
14 hearing, the parties may participate by telephone,
15 that is correct. The hearing room phone number will
16 be provided at a date later than today, either by a
17 written notice or by e-mail. Whatever information
18 is sent will be sent, of course, to both parties.
19 That will be available for further scheduling,
20 establishing further scheduling, and any and all
21 prehearing conference type purposes as discussed in
22 the Commission's rules of practice.

1 MS. VINEYARD: Your Honor, may I make one
2 additional request of the Court?

3 JUDGE JONES: What's that?

4 MS. VINEYARD: If any notices are sent to me by
5 regular postal mail, that they be sent by regular
6 mail and not by certified because I will be away,
7 quite frankly, during that period of time and I will
8 have somebody picking up my mail, but they are not
9 authorized to accept certified mail.

10 JUDGE JONES: Is that agreeable to AmerenCIPS?

11 MR. HEDIN: That's fine.

12 MS. VINEYARD: Thank you.

13 JUDGE JONES: I think that pretty well covers
14 it for today's purposes then. If there is nothing
15 further today, let the record show that the
16 above-referenced scheduling that the parties worked
17 out is hereby put into place. In accordance with
18 that scheduling, this matter is continued for
19 hearing purposes to a status hearing to be held on
20 May 11 at 1:30 p.m. Thank you.

21 (Whereupon the hearing
22 in this matter was

continued until May 11,
2004, at 1:30 p.m. in
Springfield, Illinois.)